

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Cheetah Omni LLC,

Plaintiff,

vs.

Alcatel-Lucent USA Inc., et al.

Defendants.

HONORABLE TIMOTHY B. DYK

Case No. 6:11CV390

JURY TRIAL DEMANDED

**ATTACHMENT C
TO JOINT FINAL PRE-TRIAL ORDER**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Cheetah Omni LLC,

Plaintiff,

vs.

Alcatel-Lucent USA Inc., et al.

Defendants.

HONORABLE TIMOTHY B. DYK

Case No. 6:11CV390

JURY TRIAL DEMANDED

**PLAINTIFF CHEETAH OMNI, LLC'S FIRST
SUPPLEMENTAL TRIAL EXHIBIT LIST**

Plaintiff Cheetah Omni LLC, ("Cheetah Omni") hereby files and serves its First Supplemental Trial Exhibit List, by adding plaintiff exhibit 178, and removing plaintiff exhibits 62, 65 and 66. Cheetah Omni reserves the right to identify additional exhibits or remove exhibits once it has had the opportunity to review and consider Tellabs' list. Cheetah Omni reserves the right to supplement this list with additional documents as may be appropriate and to present demonstrative exhibits, which will be identified in due course.

EXHIBIT LIST

PRESIDING JUDGE TIMOTHY B. DYK	PLAINTIFF'S ATTORNEY Thomas A. Lewry Robert C.J. Tuttle John M. Halan John S. Le Roy Christopher C. Smith BROOKS KUSHMAN P.C. T. John Ward, Jr. Jack Wesley Hill Claire Henry WARD & SMITH LAW FIRM Eric Miller Albritton ALBRITTON LAW FIRM	DEFENDANT'S ATTORNEY For Tellabs: James P. Bradley Richard F. O'Malley Lisa A. Schneider Mark Dodd Kelley Conaty Robert D. Leighton SIDLEY AUSTIN LLP
TRIAL DATE(S) To Be Determined	COURT REPORTER Shea Sloan	COURTROOM DEPUTY Rosa Ferguson
CAT. = A –Will Use; B- May Use; C-Probably Won't Use		

PLF. NO.	CAT.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS
1	A				U.S. Patent No. 6,856,459
2	A				U.S. Patent No. 6,940,647
3	B				Michael Lebby CV
4	B				Erich Ippen CV
5	B				James Nawrocki CV
6	A				DWP 50/100WSS Customer Hardware and Optical Interface Specification (TELLABS0002589-2599)
7	A				Oplink 4x1 WSS Specification Sheet (TELLABS0005621-5632)
8	A				Oplink 8x1 WSS Specification Sheet (TELLABS0005633-5645)
9	A				Tellabs 7100 RCMM-8D 88 Hardware Requirements Specification (TELLABS0002225-2269)
10	A				Tellabs 7100 RCMM X Degree Hardware Design Description (TELLABS0002342-2418)
11	A				Optium Product Specification for Dynamic Wavelength Processor (Tellabs 4D 50 GHz) (TELLABS0002507-2555)
12	A				Tellabs 7100 Amplifiers Hardware Requirements Specification (TELLABS0088224-316)
13	A				Tellabs 7100 Common WSS Specification (TELLABS 2140932-0981)

PLF. NO.	CAT.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS
14	A				Tellabs 7100 RCMM-xD Hardware Requirements Specification (TELLABS2141568-1598)
15	A				Tellabs 7100 Colorless Core Modules Hardware Requirements Specification (TELLABS2141661-1733/Tellabs0002148-224)
16	A				Tellabs 7100 Optical Line Amplifier Core Module Hardware Requirements Specification (TELLABS2142604-2669)
17	A				Tellabs 7100 88 Channel Amplifiers Hardware Requirements Specification (TELLABS2142821-2923)
18	A				Tellabs 7100 88-Channel Optical Add/Drop Modules Hardware Requirements Specification (TELLABS2144600-4663)
19	A				Coadna Photonics Specification for 8x1 50G Wavelength Selective Switch (Tellabs0005646-654)
20	A				2/27/12 Declaration of Jack Kelly
21	A				6/25/2010 Coadna Presentation titled "Liquid Crystal WSS Technology"
22	A				Coadna Drawings of WSS LC Assembly (1/30/08)
23	A				Tellabs 7100 88-Channel 8D Optical Add/Drop Modules Hardware Requirements Specification (Tellabs2145403-470)
24	A				U.S. Patent No. 7,492,986 (CH019428-19454)
25	A				Illustration of Dielectric Mirror (CH019455)
26	A				Illustration of Interference Effects (CH019456)
27	A				Diagram of components for CoAdna WSS with Marking from Dr. Lebby
28	B				Tellabs Supplemental Resp to Rogs 1- 8 (2012-6-15)
29	B				Tellabs response to pl interogs to def no 9 (2012-9-26)
30	B				Tellabs responses to pl interogs 10 11 (2012-10-22)
31	B				Tellabs responses to pl interrog 15 to def (2013-5-20)
32	B				Tellabs responses to plaintiffs interogs 16-19 to defendants (2013-6-6)
33	B				Tellabs supp rog responses 1 2 4 6 8 (2013-9-10)
34	B				Tellabs first supp response to cheetah interrog 1 __ (2013-9-17)
35	A				Various Communications Between Dr. Islam and Tellabs (Tellabs 0000854-903 CH005296-322; CH013279-313; CH13314-16; TELLABS3-8; TELLABS1-2; TELLABS705-707; TELLABS381-384; TELLABS580-584; TELLABS234-238; TELLABS239-244; TELLABS2454408-2454413; TELLABS34; TELLABS563; TELLABS564-565)
36	A				4/14/08 email between Islam and Rudofski

PLF. NO.	CAT.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS
37	A				4/23/08 email between Cheetah and Tellabs (Tellabs 0000001-2)
38	B				1/2001 Celeste Optics First Round Funding Presentation (CH003827-879)
39	B				9/19/13 Declaration of Miao Yang of Oplink
40	B				Ciena Corporation, Form 10-K for the fiscal year ended October 31, 2012.
41	B				Brochure Describing Fujitsu Flashwave 9500 Product (CH019457-19466)
42	B				February 2006 Infonetics Research ROADM Paper (CH005304-322)
43	B				Ciena Whitepaper titled "ROADMS in Network Architectures" (CH019467-19470)
44	B				Article titled: "Advances in ROADM Technologies and Subsystems" (CH019471-19482)
45	B				Write-up from FNC Website regarding ROADM/WSS (CH019483-19484)
46	B				"The Next-GenROADM Opportunity: Forecast & Analysis." Heavy Reading, Vol. 9, No. 12, January 2012 (CH019485-19487)
47	B				"Infonetics: ROADM WSS Component Market to See Double-Digit Annual Growth." Lightwave, March 31, 2012 (CH019488-19490)
48	B				"Tellabs Packet-Optical Transport," Product Overview (CH019491-19493)
49	B				"Tellabs 7100 Optical Transport System: Fully Integrated Transport & Services Delivery Platform," Data Sheet (CH019494-19496)
50	A				Tellabs North America Revenue Through March 2013 (TELLABS2451974)
51	A				Tellabs Invoice Spreadsheet (TELLABS2482325)
52	B				Tellabs, Inc. Form 10-K for the fiscal year ended 12/29/06 (CH020146-20260)
53	B				Tellabs, Inc. Form 10-K for the fiscal year ended 12/28/07 (CH020261-20407)
54	B				Tellabs, Inc. Form 10-K for the fiscal year ended 01/02/09 (CH020408-20531)
55	B				Tellabs, Inc. Form 10-K for the fiscal year ended 01/01/10 (CH020532-20662)
56	B				Tellabs, Inc. Form 10-K for the fiscal year ended 12/30/11 (CH020663-20764)
57	B				Tellabs, Inc. Form 10-K for the fiscal year ended 12/30/11 (CH020765-20863)
58	B				March 19, 2004 7100 FP2.2 Management Phase Review MPR2 (TELLABS0131386-419)
59	B				Tellabs Presentation Titled "Tellabs 7100 Roadmap and Investment Update" (TELLABS131259-274)
60	B				Tellabs Presentation Titled: "Nano Business Case Review" (TELLABS1525254-296)
61	B				Tellabs Presentation Titled "Tellabs 7100 3 Year Product Strategy PATH to Profitability" (TELLABS1859078-141)

PLF. NO.	CAT.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS
62					DELETED
63	A				Verizon Settlement and License Agreement (CH005527-CH005550)
64	A				Letter from Len Suchyta re Verizon Agreement (CH 005759)
65					DELETED
66					DELETED
67	A				License Agreement between Cheetah Omni and Ciena (CH 019397 - CH 019410)
68	B				Covenant Not To Sue Between Cheetah Omni and Ciena (CH 019388 - CH 019396)
69	A				License agreement between Cheetah Omni and Huawei (CH012972 - CH 012987)
70	B				Covenant Not to Sue between Cheetah Omni and Huawei (CH 012964 - CH 012971)
71					DELETED
72					DELETED
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PLF. NO.	CAT.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS
89					DELETED
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95					DELETED
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PLF. NO.	CAT.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS
116					DELETED
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122					DELETED
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134					DELETED
135					DELETED
136					DELETED
137					DELETED
138					DELETED
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140					DELETED
141					DELETED
142	B				Tellabs' Response to Requests for Admission Nos. 1-6 (April 22, 2013)

PLF. NO.	CAT.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS
143	B				Tellabs' Response to Request for Admission No. 7 (June 13, 2013)
144	B				Tellabs' Response to Requests for Admission Nos. 8-18 (June 27, 2013)
145	B				DELETED
146	B				File History Of USPN 6,856,459 (CH000358 – CH000791)
147	B				File History Of USPN 6,940,647 (CH001654 – CH001864)
148					DELETED
149					DELETED
150					DELETED
151	C				Assignment of USPN 6,856,459 and 6,940,647 from Mohammed Islam & Amos Kuditcher to Celeste Optics, Inc.
152	C				Change of Name Recordation of USPN 6,856,459 and 6,940,647 from Celeste Optics, Inc. to Cheetah Optics, Inc
153	C				Assignment of USPN 6,856,459 and 6,940,647 from Cheetah Optics, Inc. to Cheetah Omni, LLC.
154					DELETED
155					DELETED
156					DELETED
157					DELETED
158					DELETED
159					DELETED
160					DELETED
161					DELETED
162	A				Covenant Not To Sue between Cheetah Omni and Fujitsu Network Communications (CH020864-CH020872)
163	A				Settlement And License Agreement between Cheetah Omni and Fujitsu Network Communications (CH020873-CH020885)
164	A				Settlement And License Agreement between Cheetah Omni and Alcatel-Lucent S.A. (CH020886-CH020899)
165	B				Tellabs 7100 Automated Systems Test Procedure (Cavour Deposition Exhibit 2) (Tellabs2451975-2042)
166	B				Oplink Spreadsheet re types of WSSs used in Oplink-supplied ROADM cards (Oplink-TLSUB000395)
167	B				Oplink Spreadsheet describing ROADM cards supplied to Tellabs (Oplink-TLSUB000001)
168	B				Oplink Bill of Materials (Oplink-TLSUB000003)

PLF. NO.	CAT.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS
169	B				Oplink Product Specification for 50GHz ROADM Core Circuit Packs – 2 nd Configuration (Oplink-TLSUB000041-66)
170	B				Oplink Product Specification for 50GHz ROADM Core Circuit Packs (Oplink-TLSUB000140-163)
171	B				Table of Oplink ROADMs by WSS vendor (Oplink-TLSUB000166)
172	B				Specification for Nistica Full Fledge Wavelength Selective Switch ROADM Module with Inegrated Wavelength Blockers (Thomas Strasser Deposition Exhibit 4) (Nistica 000072-123)
173	A				Kenneth Noreen Deposition Exhibit 1 (a CD) dtd. 3/15/13 referencing Exhibit 1D and Exhibit 1E from the CD
174	A				Kenneth Noreen Deposition Exhibit 3 dtd. 3/15/13- Notice of Deposition
175	A				Robert Risdén Deposition Exhibit 1 dtd. 7/23/13 –Second Amended Notice Of Deposition Of Defendant Tellabs, Inc. et al
176	A				Robert Risdén Deposition Exhibit 3 (a CD) dtd. 7/23/13 referencing exhibits 3A and 3B from the CD
177	A				Yajun Wang Deposition Exhibit 12 dtd. 8/9/13 Repercussions of Canceling the CCM88
178	B				Harlan (Xtera) Deposition Exhibit 12 dtd. 3/20/13

Dated: January 22, 2014

Respectfully submitted,

By: /s/Thomas A. Lewry

Thomas A. Lewry (MI Bar No. P36399)

(Lead Attorney)

John S. Le Roy (MI Bar No. P61964)

Robert C.J. Tuttle (MI Bar No. P25222)

John M. Halan (MI Bar No. P37616)

Christopher C. Smith (MI Bar No. P73936)

Brooks Kushman P.C.

1000 Town Center, 22nd Floor

Southfield, Michigan 48075-1238

Tel: (248) 358-4400 – Fax: (248) 358-3351

Email: tlewry@brookskushman.com

jleroy@brookskushman.com

rtuttle@brookskushman.com

jhalan@brookskushman.com

csmith@brookskushman.com

T. John Ward, Jr. (TX State Bar No. 00794818)
Jack Wesley Hill
Ward & Smith Law Firm
1127 Judson Road, Suite 220
PO Box 1231
Longview, Texas 75606
Tel: (903) 757-6400 – Fax: (903) 757-2323
Email: jw@jwfirm.com
wh@jwfirm.com

Eric Miller Albritton
Albritton Law Firm
PO Box 2649
111 West Tyler, 75601
Longview, TX 75606
Tel: (903) 757-8449 – Fax: (903) 758-7397
ema@emafirm.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email on **January 22, 2014**.

/s/ Thomas A. Lewry